



Title 54 of the U.S. Code

Background and Guidance

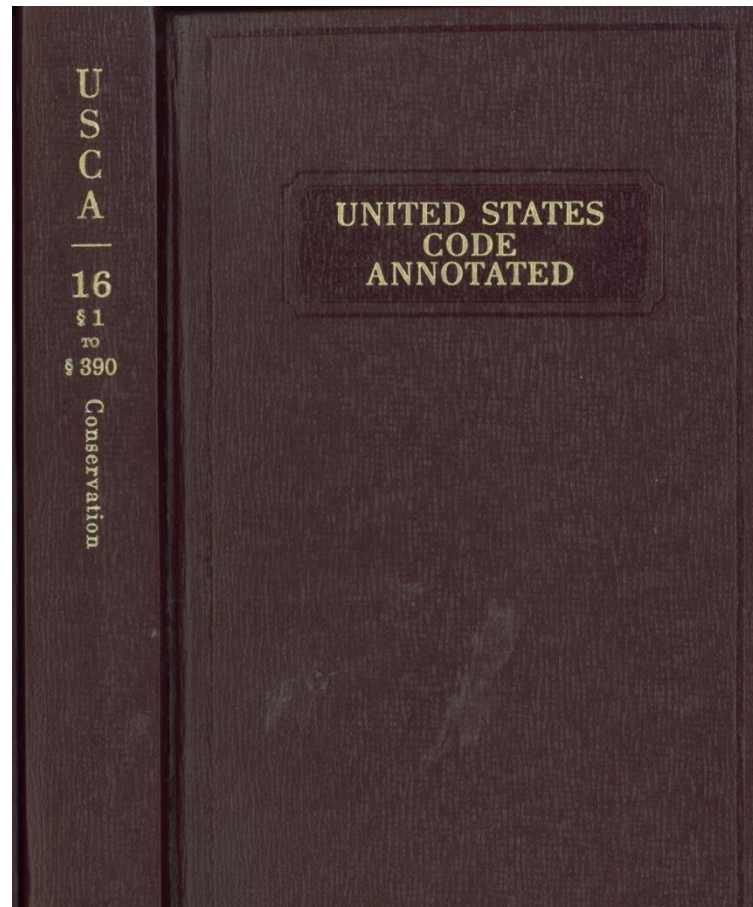
Background

The U.S. Code

- The U.S. Code is the repository of the general and permanent laws of the United States (Federal law).
- The U.S. Code is divided into various subject matter titles. Today there are 52 titles.

Background

National park laws primarily have been codified in Title 16, Conservation.



Background

Codification

- When Congress enacts a bill, and the President signs it, it is codified (included in the Code) by the Office of the Law Revision Counsel (LRC), an arm of the House of Representatives.
- The LRC decides in which title to codify the various provisions of a new public law.

Background

Codification

- Not all provisions of a law are codified – some appear only as notes in the code.
- A provision requiring a report to Congress every year is considered permanent law and is codified, while a provision making a one-year appropriation for a program is only viewed as temporary and is not codified.

Public Law 102-543, Establishing Keweenaw NHP

Public Law 102-543
102d Congress

An Act

To establish the Keweenaw National Historical Park, and for other purposes.

Oct. 27, 1992

[S. 1664]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Michigan.
Conservation.
16 USC 410yy.

SECTION 1. FINDINGS AND PURPOSES.

(a) FINDINGS.—The Congress finds that—

(1) The oldest and largest lava flow known on Earth is located on the Keweenaw Peninsula of Michigan. This volcanic activity produced the only place on Earth where large scale economically recoverable 97 percent pure native copper is found.

(2) The Keweenaw Peninsula is the only site in the country where prehistoric, aboriginal mining of copper occurred. Artifacts made from this copper by these ancient Indians were traded as far south as present day Alabama.

(3) Copper mining on the Keweenaw Peninsula pioneered deep shaft, hard rock mining, milling, and smelting techniques and advancements in related mining technologies later used throughout the world.

(4) Michigan Technological University, located in the copper district, was established in 1885 to supply the great demand for new technologies and trained engineers requested by the area's mining operations. Michigan Technological University possesses a wealth of both written and photographic historic documentation of the mining era in its archives.

(5) Michigan's copper country became a principal magnet to European immigrants during the mid-1800's and the cultural heritage of these varied nationalities is still preserved in this remarkable ethnic conglomerate.

(6) The corporate-sponsored community planning in Calumet, Michigan, as evidenced in the architecture, municipal design, surnames, foods, and traditions, and the large scale corporate paternalism was unprecedented in American industry and continues to express the heritage of the district.

(7) The entire picture of copper mining on Michigan's Keweenaw Peninsula is best represented by three components: the Village of Calumet, the former Calumet and Hecla Mining Company properties (including the Osceola #13 mine complex), and the former Quincy Mining Company properties. The Village of Calumet best represents the social, ethnic, and commercial



U.S. Code
Citation

Public Law 108-192, Establishing Carter G. Woodson Home NHS

Public Law 108-192
108th Congress

An Act

To establish the Carter G. Woodson Home National Historic Site in the District of Columbia, and for other purposes.

Dec. 19, 2003
[H.R. 1012]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Carter G. Woodson Home National Historic Site Act”.

Carter G.
Woodson Home
National Historic
Site Act.
16 USC 461 note.

SEC. 2. DEFINITIONS.

As used in this Act:

(1) **CARTER G. WOODSON HOME.**—The term “Carter G. Woodson Home” means the property located at 1538 Ninth Street, Northwest, in the District of Columbia, as depicted on the map.

(2) **HISTORIC SITE.**—The term “historic site” means the Carter G. Woodson Home National Historic Site.

(3) **MAP.**—The term “map” means the map entitled “Carter G. Woodson Home National Historic Site”, numbered 876/82338-A and dated July 22, 2003.

(4) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

SEC. 3. CARTER G. WOODSON HOME NATIONAL HISTORIC SITE.

(a) **ESTABLISHMENT.**—Upon acquisition by the Secretary of the Carter G. Woodson Home, or interests therein, the Secretary shall establish the historic site as a unit of the National Park System by publication of a notice to that effect in the Federal Register.

(b) **ADDITIONS TO HISTORIC SITE.**—

(1) **IN GENERAL.**—The Secretary may acquire any of the 3 properties immediately north of the Carter G. Woodson Home located at 1540, 1542, and 1544 Ninth Street, Northwest, described on the map as “Potential Additions to National Historic Site”, for addition to the historic site.

(2) **BOUNDARY REVISION.**—Upon the acquisition of any of the properties described in paragraph (1), the Secretary shall revise the boundaries of the historic site to include the property.

(c) **AVAILABILITY OF MAP.**—The map shall be available for public inspection in the appropriate offices of the National Park Service, Department of the Interior.

(d) **ACQUISITION AUTHORITY.**—The Secretary may acquire the Carter G. Woodson Home or any of the properties described in subsection (b)(1), including interests therein, and any improvements

**U.S. Code note
citation**

Background

Positive Law

- In 1974, Congress enacted a law requiring the LRC to “prepare, and submit...a complete compilation, restatement, and revision of the general and permanent laws of the United States **which conforms to the understood policy, intent, and purpose of the Congress in the original enactments**, with such amendments and corrections as will remove ambiguities, contradictions, and other imperfections both of substance and of form, separately stated, with a view to the enactment of each title as positive law.”
- A positive law codification provides an opportunity to restate the laws using a consistent drafting style and consistent word choices.

Background

Positive Law

- This mandate is accomplished by compiling the general and permanent laws on a given subject into a new title of the Code that is introduced as a bill in Congress, passed by the House and Senate, and signed by the President.
- Once the bill is signed by the President, that new title of the Code is considered positive law, which constitutes the authoritative form of the law in Federal and State Courts.
- Conversely, a non-positive law title is considered to be evidence of the law, but it is less authoritative than the underlying public law.

The Path to Title 54

- Because Title 16 included laws from multiple agencies, it was becoming too large and disorganized. Staff of the LRC approached the NPS Office of Legislative and Congressional Affairs (OLCA) over five years ago about creating a new Title 54 for national park laws.
- Because the NPS has so many laws, the Title 54 project was divided into two parts: the first would involve compiling the NPS system-wide laws; the second would involve the compilation of individual park laws.

The Path to Title 54

- The LRC shared the initial draft of the Title 54 bill with OLCA and we sent it to our program offices and various other interested parties for review. We received over 130 pages of comments.
- OLCA provided those comments to the LRC and held several meetings to discuss each of the comments. We included the people who proposed the majority of the comments in those meetings and decisions were made on resolving each of the comments.

Congressional Action on Title 54

- A draft Title 54 bill with our system-wide laws was introduced, but was not considered in the 111th Congress. It was reintroduced and passed the House in the 112th Congress, but did not pass the Senate.
- The bill was reintroduced in the 113th Congress as H.R. 1068 on March 12, 2013. It passed the House on April 23, 2013 and the Senate on December 15, 2014.
- The President signed H.R. 1068 into law, P.L. 113-287, on December 19, 2014.

Next Steps For Title 54

- By signing Title 54 into law, the previous laws that existed under Title 16 are repealed, including popular names, i.e. the National Park Service Organic Act, the National Park System General Authorities Act, the Historic Preservation Act, etc. However, this does not stop us from continuing to use these names in our daily work. Suggest referring to them as “commonly known as _____ Act.”
- However, not all previous law are repealed by Title 54. Public laws that were not codified still exist (public laws still exist that only appear in the Code as a note under a particular section of Title 54)

Next Steps For Title 54

- Other key public laws that concern the NPS, as well as other land management agencies, remain in Title 16, such as:
 - The Wild and Scenic Rivers Act
 - The National Trail System Act
 - The Wilderness Act
- The Commemorative Works Act remains in Title 40.
- It is possible the citation numbers for other titles remaining in Title 16 will also change.

Next Steps For Title 54

Title 54 has plenty of room to grow based on the new numbering system:

An Act

To enact title 54, United States Code, “National Park Service and Related Programs”, as positive law.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

- Sec. 1. Table of contents.
- Sec. 2. Purpose; conformity with original intent.
- Sec. 3. Enactment of title 54, United States Code.
- Sec. 4. Conforming amendments.
- Sec. 5. Conforming cross-references.
- Sec. 6. Transitional and savings provisions.
- Sec. 7. Repeals.

SEC. 2. PURPOSE; CONFORMITY WITH ORIGINAL INTENT.

(a) PURPOSE.—The purpose of this Act is to codify certain existing laws relating to the National Park System as title 54, United States Code, “National Park Service and Related Programs”.

(b) CONFORMITY WITH ORIGINAL INTENT.—In the codification of laws by this Act, the intent is to conform to the understood policy, intent, and purpose of Congress in the original enactments, with such amendments and corrections as will remove ambiguities, contradictions, and other imperfections, in accordance with section 205(c)(1) of House Resolution No. 988, 93d Congress, as enacted into law by Public Law 93–554 (2 U.S.C. 285b(1)).

SEC. 3. ENACTMENT OF TITLE 54, UNITED STATES CODE.

Title 54, United States Code, “National Park Service and Related Programs”, is enacted as follows:

TITLE 54—NATIONAL PARK SERVICE AND RELATED PROGRAMS

Subtitle I—National Park System

Division A—Establishment and General Administration

Chap.	Sec.	
1001.	General Provisions	100101
1003.	Establishment, Directors, and Other Employees	100301
1005.	Areas of National Park System	100501
1007.	Resource Management	100701
1009.	Administration	100901
1011.	Donations	101101
1013.	Employees	101301

1015.	Transportation	101501
1017.	Financial Agreements	101701
1019.	Concessions and Commercial Use Authorizations	101901
1021.	Privileges and Leases	102101
1023.	Programs and Organizations	102301
1025.	Museums	102501
1027.	Law Enforcement and Emergency Assistance	102701
1029.	Land Transfers	102901
1031.	Appropriations and Accounting	103101
1033.	National Military Parks	103301
1035.	through 1047	Reserved
1049.	Miscellaneous	104901

Division B—System Units and Related Areas—Reserved

Subtitle II—Outdoor Recreation Programs

2001.	Coordination of Programs	200101
2003.	Land and Water Conservation Fund	200301
2005.	Urban Park and Recreation Recovery Program	200501

Subtitle III—National Preservation Programs

Division A—Historic Preservation

Subdivision 1—General Provisions

3001.	Policy	300101
3003.	Definitions	300301

Subdivision 2—Historic Preservation Program

3021.	National Register of Historic Places	302101
3023.	State Historic Preservation Programs	302301
3025.	Certification of Local Governments	302501
3027.	Historic Preservation Programs and Authorities for Indian Tribes and Native Hawaiian Organizations.	302701
3029.	Grants	302901
3031.	Historic Preservation Fund	303101
3033.	Through 3037	Reserved
3039.	Miscellaneous	303901

Subdivision 3—Advisory Council on Historic Preservation

3041.	Advisory Council on Historic Preservation	304101
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Subdivision 4—Other Organizations and Programs

3051.	Historic Light Station Preservation	305101
3053.	National Center for Preservation Technology and Training	305301
3055.	National Building Museum	305501

Subdivision 5—Federal Agency Historic Preservation Responsibilities

3061.	Program Responsibilities and Authorities	306101
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Subdivision 6—Miscellaneous

3071.	Miscellaneous	307101
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Division B—Organizations and Programs

Subdivision 1—Administered by National Park Service

3081.	American Battlefield Protection Program	308101
3083.	National Underground Railroad Network to Freedom	308301
3085.	National Women’s Rights History Project	308501
3087.	National Maritime Heritage	308701
3089.	Save America’s Treasures Program	308901
3091.	Commemoration of Former Presidents	309101

Subdivision 2—Administered Jointly With National Park Service

3111.	Preserve America Program	311101
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Subdivision 3—Administered by Other Than National Park Service

3121.	National Trust for Historic Preservation in the United States	312101
3123.	Commission for the Preservation of America’s Heritage Abroad	312301
3125.	Preservation of Historical and Archeological Data	312501

Division C—American Antiquities

3201.	Policy and Administrative Provisions	320101
3203.	Monuments, Ruins, Sites, and Objects of Antiquity	320301

Next Steps For Title 54

- Division A of Subtitle I of Title 54 includes our system-wide laws. Division B of Subtitle I is specifically reserved for the laws applicable to our park units.
- We hope to have the text of Division B completed in the 114th Congress for introduction as a separate bill.
- Only about half of our individual parks had their laws' text included in the old Title 16, with the other half denoted only by a note in various sections of Title 16 – primarily under the text of the Historic Sites Act and the Antiquities Act.

Next Steps For Title 54

- OLCA requested that the LRC include the text for all of our units in Title 54. They agreed to do so as much as possible with the exception of many national monuments, as the text of Presidential Proclamations cannot be codified; and of many national memorials, since those laws only provide authority for a group to build a memorial in accordance with the Commemorative Works Act.
- OLCA has gathered and edited the text of over 500 public laws for those park units whose laws are not codified. We are working to prepare the text of those laws for the LRC so it can be codified in Division B of Subtitle I of Title 54.

What the New Title 54 Means for NPS

- The NPS has referenced Title 16 in many ways: letters, memos, policy documents, director's orders, reference guides, etc.
- These references will now change to refer to the new sections of Title 54. For example, the law that addresses damages to national park resources, 16 U.S.C. 19jj, commonly known as "19jj," is now found at 54 U.S.C. 100721.

What the New Title 54 Means for NPS

- The House Judiciary Committee report for H.R. 1068 includes a table with the location of each section of Title 16 and its corresponding section in Title 54. This report is available online at: <http://www.gpo.gov/fdsys/pkg/CRPT-113hrpt44/pdf/CRPT-113hrpt44.pdf>.
- This table will serve as a reference point until people become familiar with the new sections of Title 54.

What the New Title 54 Means for NPS

Disposition Table—Continued

Former United States Code Section	Disposition
16 U.S.C. 1a	Previously repealed.
16 U.S.C. 1a-1	54 U.S.C. 100101
16 U.S.C. 1a-2 (matter before (a))	54 U.S.C. 100751, 100901, 100906, 101302, 101702, 101703, 102102
16 U.S.C. 1a-2(a)	54 U.S.C. 101302
16 U.S.C. 1a-2(b)	54 U.S.C. 101302
16 U.S.C. 1a-2(c)	54 U.S.C. 100906
16 U.S.C. 1a-2(d)	54 U.S.C. 101302
16 U.S.C. 1a-2(e)	54 U.S.C. 100901
16 U.S.C. 1a-2(f)	54 U.S.C. 100901
16 U.S.C. 1a-2(g)	54 U.S.C. 101702
16 U.S.C. 1a-2(h)	54 U.S.C. 100751
16 U.S.C. 1a-2(i)	54 U.S.C. 101302
16 U.S.C. 1a-2(j)	54 U.S.C. 101702
16 U.S.C. 1a-2(k)	54 U.S.C. 102102
16 U.S.C. 1a-2(f)	54 U.S.C. 101703
16 U.S.C. 1a-3	54 U.S.C. 100754
16 U.S.C. 1a-4	Repealed as obsolete. Provided that the uniform allowance for uniformed employees of the National Park Service may be up to \$400 annually. Superseded by 5 U.S.C. 5901(a), which provides a uniform allowance of \$400 for employees of each agency.
16 U.S.C. 1a-5	54 U.S.C. 100507
16 U.S.C. 1a-6	54 U.S.C. 102701
16 U.S.C. 1a-7(a)	Repealed as obsolete. Required the Secretary of the Interior to transmit to the Committee on Energy and National Resources of the Senate and the Committee on Natural Resources of the House of Representatives a detailed program for the development of facilities, structures, or buildings for each unit of the National Park System consistent with general management plans. Repealed as obsolete because of the termination of the reporting requirement with respect to Congress, effective May 15, 2000. See section 3003 of the Federal Reports Elimination and Sunset Act of 1995 (Pub. L. 104-66, 31 U.S.C. 1113 note) and page 110 of House Document No. 103-7.
16 U.S.C. 1a-7(b)	54 U.S.C. 100502
16 U.S.C. 1a-7a	54 U.S.C. 102702
16 U.S.C. 1a-7b (relating to National Park System)	54 U.S.C. 104906
16 U.S.C. 1a-7b (relating to National Wildlife Refuge System).	See § 4(d) of bill.
16 U.S.C. 1a-8(a)	54 U.S.C. 101301
16 U.S.C. 1a-8(b)	Previously repealed.
16 U.S.C. 1a-9 through 1a-11	54 U.S.C. 100505
16 U.S.C. 1a-12, 1a-13	54 U.S.C. 100506
16 U.S.C. 1a-14	54 U.S.C. 100906
16 U.S.C. 1b (matter before (1))	54 U.S.C. 100901, 101901, 102711
16 U.S.C. 1b(1)	54 U.S.C. 102711
16 U.S.C. 1b(2)	54 U.S.C. 100901
16 U.S.C. 1b(3)	Not repealed but omitted from the text of title 54. Provides for transportation of employees of Carlsbad Caverns National Park.

What the New Title 54 Means for NPS

- Materials created prior to the President signing H.R. 1068 into law on December 19, 2014 and that have not been finalized should be checked for outdated references to Title 16, because, the codified NPS sections of Title 16 were repealed and ceased to exist.
- P.L. 113-287 (the law that enacted Title 54) makes it clear that a reference to Title 54 is to be considered to be a reference to the underlying provision of Title 16 that Title 54 replaces.
- Similarly, a regulation, order, or administrative action that was in effect under the Title 16 provision remains in effect, and an action taken or an offence committed under Title 16 is considered to be an action taken or an offence committed under Title 54.

If you have questions, we encourage you to contact the Solicitor's Office
or the Office of Legislative and Congressional Affairs.

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National Park Service
U.S. Department of the Interior